

Serial No. 09/171,236  
September 15, 2004  
Reply to the Office Action dated May 17, 2004  
Page 14 of 18

#### REMARKS/ARGUMENTS

Claims 17-19, 21, 22, 24, 26-35 and 37-54 are pending in this application. By this Amendment, Applicants AMEND claims 21, 22, 26, and 38 and CANCEL claim 20 and ADD claims 55 and 56.

Applicants greatly appreciate the allowance of claims 17-19, 24, and 26-54 by the Examiner.

Applicants' counsel greatly appreciates the courtesies extended by the Examiner in the personal interview of August 31, 2004. In the personal interview, Applicants' counsel and the Examiner discussed the differences between the applied prior art and the present invention. No agreement was reached with respect to the claims.

Applicants filed an Information Disclosure Statement in the Patent Office on February 2, 1999. The Examiner indicated that the IDS was considered in paragraph no. 1 on page 1 of the Office Action of February 5, 2001. However, a copy of the initialed Form PTO-1449 was not included in any Office Action. Accordingly, Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 filed on February 5, 2001 in the next Office Action.

Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishiumi et al. (US 5,973,704). Applicants have canceled claim 20, added independent claim 55, and amended claims 21 and 22 to depend upon claim 55.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 21 and 22 under 35 U.S.C. 103(a) as being unpatentable over Nishiumi et al.

In anticipation of the Examiner relying upon Nishiumi et al. to reject claim 55, Claim 55 recites:

"An image processing device for situating an object in a virtual space formed by a computer system, developing a game while controlling the movement of the object according to input control and set rules, and displaying circumstances in said virtual space as the screen seen from a virtual camera, wherein said image processing device comprises:

Serial No. 09/171,236  
September 15, 2004  
Reply to the Office Action dated May 17, 2004  
Page 15 of 18

a camera angle adjusting means for adjusting the angle of the virtual camera; wherein  
the virtual space includes a plurality of predetermined areas, each of the plurality of predetermined areas is assigned a single camera angle;  
the camera angle adjusting means adjusts the angle of the virtual camera to 0 degrees when the object is not located in one of the plurality of predetermined areas; and  
when the object is located in one of the plurality of predetermined areas, the camera angle adjusting means adjusts the angle of the virtual camera by the single camera angle assigned to the one of the plurality of predetermined areas." (emphasis added)

Applicants' claim 55 recites the features of "the camera angle adjusting means adjusts the angle of the virtual camera to 0 degrees when the object is not located in one of the plurality of predetermined areas" and "when the object is located in one of the plurality of predetermined areas, the camera angle adjusting means adjusts the angle of the virtual camera by the single camera angle assigned to the one of the plurality of predetermined areas." With the improved features of claim 55, Applicants have been able to provide an image processing device that can be used in a game to make it easier to play (see, for example, the last paragraph on page 6 of the originally filed Specification).

Applicants have added new claim 55 which recites the feature of "when the object is located in one of the plurality of predetermined areas, the camera angle adjusting means adjusts the angle of the virtual camera by the single camera angle assigned to the one of the plurality of predetermined areas." Applicants respectfully submit that Nishiumi et al. fails to teach or suggest this feature.

Fig. 20 and line 55 of column 14 to line 19 of column 15 of Nishiumi et al. teach that, when a wall is detected between Mario and the camera, the camera is adjusted so that a straight line between Mario and the camera is parallel to the wall. The camera adjustment of Nishiumi et al. results in the camera angle being adjusted by a variable angle, where the variable angle depends upon the relation of the camera and Mario when the wall is detected between Mario and the camera. This variable

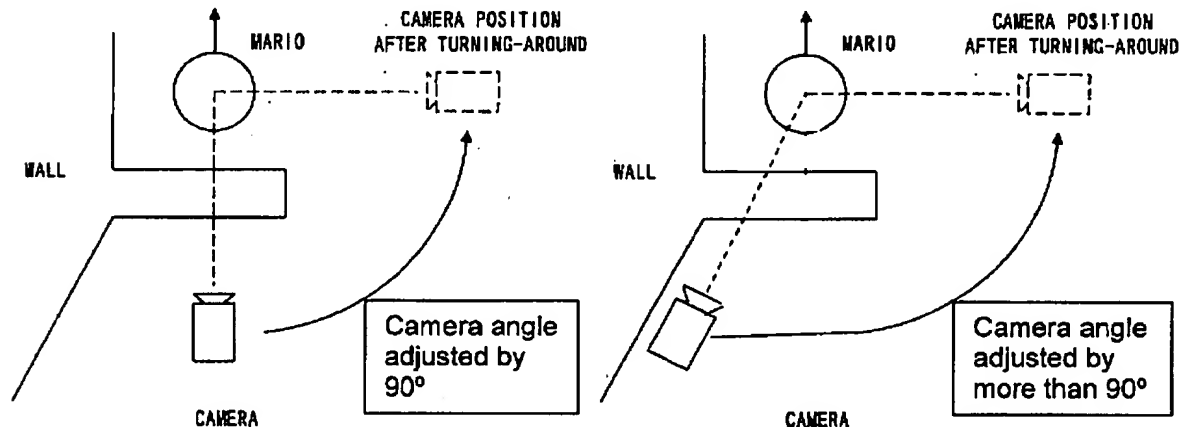
Serial No. 09/171,236

September 15, 2004

Reply to the Office Action dated May 17, 2004

Page 16 of 18

angle adjustment is clearly illustrated in the following marked-up figures corresponding to Fig. 20 of Nishiumi et al.:



That is, Nishiumi et al. clearly fails to teach or suggest that the camera angle is adjusted by a single camera angle assigned to the predetermined area in which Mario is located.

Nishiumi et al. fails to teach or suggest any predetermined areas having a single camera angle assigned thereto, and certainly fails to teach or suggest the feature of "when the object is located in one of the plurality of predetermined areas, the camera angle adjusting means adjusts the angle of the virtual camera by the single camera angle assigned to the one of the plurality of predetermined areas" as recited in Applicants' claim 55.

Accordingly, Applicants respectfully submit that none of the prior art of record, applied alone or in combination, teaches or suggests the unique combination and arrangement of elements recited in claim 55 of the present application. Claims 21, 22, and 56 depend upon claim 55 and are therefore allowable for at least the reasons that claim 55 is allowable. The Examiner allowed claims 17-19, 24 and 26-54.

MPEP § 707.02, "Applications Up for Third Action and 5-Year Applications," states:

Serial No. 09/171,236  
September 15, 2004  
Reply to the Office Action dated May 17, 2004  
Page 17 of 18

The supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them.

The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent official action with a view to finally concluding its prosecution.

Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort made to terminate its prosecution. In order to accomplish this result, the application is to be considered "special" by the examiner.

Applicants hereby respectfully request that the Examiner consult with her Supervisory Patent Examiner to expedite the conclusion of the prosecution of the present applicant.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

To the extent necessary, Applicants petition the Commissioner for a ONE-month extension of time, extending to September 17, 2004, the period for response to the Office Action dated May 17, 2004.

Serial No. 09/171,236  
September 15, 2004  
Reply to the Office Action dated May 17, 2004  
Page 18 of 18

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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